

COUNTY of
CUMBERLAND
VIRGINIA

FOUNDED • 1749

Catherine Kahl, M.U.E.P.
*Planning & Zoning
Administrator*
ckahl@cumberlandcounty.virginia.gov

Sandra Everson-Jones
Assistant Zoning Administrator
severson-
jones@cumberlandcounty.virginia.gov

P.O. Box 110
Cumberland, VA 23040
(804) 492-3520 Phone
(804) 492-3697 Fax

Planning Commission

District 1
Patrick Smook

District 2
Keith Oulie

District 3
William C. Burger, Vice Chair

District 4
David Brown

District 5
Roland Gilliam

At Large
Parker Wheeler, Chair

At Large
Irene Speas

Board of Supervisors Liaison
William "Bill" Osl, Jr.

MINUTES OF THE
CUMBERLAND COUNTY PLANNING COMMISSION
Land Use Workshop
Cumberland County Old Clerks' Office
Cumberland, Virginia
February 6, 2006, 7:00 P.M.

Present: Patrick Smook, District 1
Keith Oulie, District 2
Bill Burger, Vice-Chair, District 3
David Brown, District 4
Roland Gilliam, District 5
Irene Speas, At-Large
Parker Wheeler, Chairman, At-Large
Bill Osl, Board of Supervisors Liaison

Also Present: Catherine Kahl, Clerk of the Commission
Darvin Satterwhite, County Attorney

Press: Bill Smith, Cumberland Bulletin

The meeting was called to order, the roll called, and a quorum established.

Ms. Kahl began the Land Use Plan item of the agenda with a series of brief presentations from a CD-ROM entitled "Crossroads, Hamlet, Village, Town: Design Characteristics of Traditional Neighborhoods, Old and New" by Randall Arendt. The presentations included suggestions for zoning and subdivision ordinances that enhance rural design and conservation. Ms. Kahl suggested that this material would be helpful for the land use plan as well as review of upcoming rezoning requests.

Ms Kahl then told the Planning Commission that they would likely be reviewing a rezoning application at the monthly meeting on February 27, 2006 for a proposed development on Plank Road. Ms. Kahl stated that earlier meetings with the applicant indicated that it would include townhouses, houses and commercial space.

The Planning Commission inquired about the target market for the proposed development and if it would be students from Longwood University. Commissioner Burger stated that although Longwood is growing, it is not growing at that fast a pace and so Longwood students would not be the target market. Mr. Osl commented that he wanted to see mixed-use development, not just residential. He stated the County needs both residential and commercial, and that in a previous meeting with the developer that both parties were in agreement.

Commissioner Gilliam remarked that much of the land is located within the floodplain. Commissioner Oulie inquired as to the number of units that could be located there. Commissioners acknowledged that the property is located on water and sewer. Commissioner Brown asked what it is currently zoned. Ms. Kahl responded that it is currently in the A-2 district but within the footprint of the proposed growth area.

Commissioner Smook inquired about the junction of land use types and zoning, how to separate land use from zoning districts and how successful that could be.

Ms. Kahl responded that land use categories are broad ideas of how we envision the county, while zoning districts are the details that are determined at a later point. Ms. Kahl explained that it is important to get land use types/categories as well as densities into the Comprehensive Plan and that then zoning districts will be modified and created to support the land use plan and the Comp Plan, but that such zoning matters will occur at a later point. Ms. Kahl reiterated that importance of working on developing big picture objectives and plans before addressing zoning specifics.

Commissioner Oulie questioned what businesses could go into a mixed-use area as well as what happens once a business closes and what regulates what might follow. County Attorney Satterwhite commented that we could use proffers, conditional use permits, or other measures to ensure that certain uses or businesses could not appear without some regulation.

Commissioner Burger inquired on the status of the streetscape program. He also questioned whether the Planning Commission could move forward with a village concept if they do not know when and how the streetscape project will proceed, particularly in regard to funding sources. Mr. Osl responded that the streetscape project is well beyond a vague concept and that the county is looking for funding sources to implement the proposed plan. Mr. Osl further explained that anything to do with the Comp Plan must be independent of funding sources.

Commissioner Burger wondered what incentives need to be made to encourage a developer to work in the Courthouse village area, and to make sure that they build the roads that we want, etc... County Attorney Satterwhite explained that right now most of the land that developers are looking at is in the A-2 district. As a result, we need to state that a developer must meet certain density requirements in the different zoning districts. He gave the example of preventing a 500 acre parcel in an agricultural area from becoming a subdivision of two acre lots. Ms. Kahl further suggested that agricultural and rural areas may permit subdivisions, but that they follow the model of conservation subdivisions that require 60 or 70% of the land be open space or a conservation easement. Commissioner Smook commented that we need to require smaller lots in rural areas that use a smaller area of land and maintain larger conservation areas, to maintain for agricultural use. He further commented that we do not want to create oversized sprawl on five or ten acre lots. County Attorney Satterwhite commented that in Goochland a developer can get two acre minimums in rural preservation areas if 60% of the land is dedicated as conservation areas.

Commissioner Burger suggested using the small village or hamlet concept as developers like it and it allows people to live in a park like area. County Attorney Satterwhite commented that developers often think that conservation design requirements and rural preservation are more expensive but that by making the minimum lot size larger (such as ten acres) it encourages developers to consider rural preservation more closely. Ms. Kahl also spoke about the importance of maintaining the large tracts and parcels in the rural areas because once those are subdivided they are permanently lost. Commissioner Oulie commented that he supports preserving large and useable open spaces.

Commissioner Wheeler asked if a developer would get a tax break for more open space. Mr. Osl responded that they would not get a tax break but that they would have less to do as far as building roads, etc... since they would be getting a density bonus.

Commissioner Smook commented that it makes perfect sense for a homeowners' association to own the open space, allow the land to be used for trails or rent the land to a farmer. Commissioner Smook then suggested that the discussion move to industrial lands.

Mr. Osl stated that the location of the landfill will be the location of the next industrial park. He explained that the landfill company will buy a much larger area than it needs and that extra land is a good opportunity for other businesses and industries. For example, regarding the issue of the leachate, it may be possible for the landfill company to build a sewer line, thus contributing to the county's own sewer infrastructure and a future sewer treatment plant. Commissioner Smook inquired as to the power capabilities of the electric company at the proposed site as a consideration. Addressing the issue of property values near landfills, Mr. Osl commented that in other places people are building half-million dollar houses adjacent to landfills. He further stated that today people do not perceive risks from landfills that they had in the past, citing the example of the Superfund site in Buckingham County.

Commissioner Gilliam questioned whether there is an adverse reaction to the landfill. Mr. Osl responded that there is always an adverse reaction to a landfill, at least in the beginning. Mr. Osl further commented that there is a post-closure plan for the landfill site as a recreational space. Commissioner Wheeler asked if a golf course could be put on the site. Yes, that is a possibility said Mr. Osl. Commissioner Smook observed that Henrico County has a huge landfill with tremendous development around it. Commissioner Wheeler stated that a landfill is a limited resource.

Mr. Osl then discussed a recent conversation that he had had with Patricia Cormier, President of Longwood University, about the economic strategy for Cumberland County and offered that whenever Longwood is considering a project to consider how Cumberland would fit into the plan. Commissioner Burger commented that Longwood's physical growth may be limited and that they are seeking to expand online. Mr. Osl shared that he had discussed the rural broadband initiative with President Cormier and that she responded positively to such an initiative. Mr. Osl also stated the Longwood is currently maxed out physically and that if they do expand the campus to another location that Cumberland would be a possible site. Mr. Osl also said that Cumberland wants to play a vital role in the future of Longwood and to help them meet their needs.

Commissioner Smook suggested that discussion next turn to discussing recreational areas and the reservoir. Mr. Osl explained how the county was currently working with the office of economic development at Virginia Tech to consider a master plan for land use around the reservoir and for the surface use of the reservoir, likely with a recreational focus.

Commissioner Gilliam suggested that the area along the Appomattox River would be a good location for a recreational area. Mr. Osl commented that perhaps an overlay district near the proposed Rails to Trails area be considered as part of the recreational areas. Commissioner

Speas asked if recreational areas could also include some provisions for related businesses, observing that recreational areas need to meet the needs of recreational visitors. She suggested that potential related services might be bait shops, small groceries, delis and equipment rental places.

Having reviewed the four broad land use categories, Rural/Agricultural, Growth, Industrial and Recreational Areas, the Planning Commission addressed the next item on the agenda, Purchase of Development Rights (PDR) programs. Ms. Kahl proposed a date for a PDR workshop with Robins Buck of the Virginia Department of Agriculture and Consumer Services. The date was set for Monday, March 6, 2006 at 7pm in the Old Clerks' Office. County Attorney Satterwhite will have a model ordinance prepared for that meeting and stated that it will be substantially similar to the James City County PDR ordinance that the Planning Commission received at the last meeting.

No Commissioners had any comments.

Mr. Osl provided an update on the landfill proposal and stated that they were still working on the agreement and he had no further information than what had been provided at the public meeting. He said that it would likely be two years before the landfill was fully operational.

There being no other business before the Commission, a motion to adjourn was made by Commissioner Burger and seconded by Commissioner Brown. The meeting was adjourned until February 27, 2006.

Attested:

Parker Wheeler, Planning Commission Chair

Date

Catherine Kahl, Clerk of the Commission

Date